

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

AIRBORNE HEALTH, INC.,

No. C-06-1803 MMC

Plaintiff,

ORDER OF DISMISSAL

v.

WALGREEN CO.,

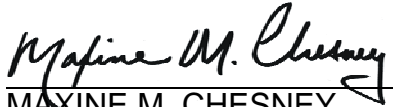
Defendant.

Plaintiff having advised the Court that the parties have agreed to a settlement of the above-titled action,

IT IS HEREBY ORDERED that said action be dismissed without prejudice; provided, however, that if any party hereto shall certify to this Court, within ninety days, with proof of service of a copy thereof on opposing counsel, that a written settlement agreement has not been executed, the foregoing order shall stand vacated and the action shall forthwith be restored to the calendar to be set for trial.

IT IS SO ORDERED.

Dated: June 1, 2006


MAXINE M. CHESNEY
United States District Judge